

Minutes of a Community Development Agency Town Board Meeting held by the Town Board of the Town of Riverhead at Town Hall, 200 Howell Avenue, Riverhead, New York, on Wednesday, February 19, 2003, at 7:00 p.m.

Present:

Robert Kozakiewicz,	Chairman
James Lull,	Member
Barbara Blass,	Member
Rose Sanders,	Member
Andrea Lohneiss,	Director

Also Present:

Barbara Grattan,	Town Clerk
Scott DeSimone, Esq.,	Town Attorney

Absent:

Edward Densieski,	Member
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Resolution #2

Andrea Lohneiss: "Resolution #2, authorizes the Chairman to execute an easement in favor of the People of the State of New York. This easement runs between Connecticut Avenue and the Peconic River to allow for public access. And it is- "

Member Blass: "Motion to move Resolution #2."

Member Lull: "Second."

Chairman Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #3

Andrea Lohneiss: "Resolution 3 authorizes the Chairman to take necessary actions in connection with Island Water Park Corp. closing."

Member Lull: "So moved."

Member Blass: "And seconded."

Chairman Kozakiewicz: "Moved and seconded."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution is adopted."

Resolution #4

Andrea Lohneiss: "Resolution #4, authorizes the Supervisor to execute an agreement between the Riverhead Community Development Agency and Robert Ginsberg d/b/a Rosewood Management Inc. in connection with the North Fork Classic Horse Show."

Member Lull: "Mr. Supervisor, I suggest- I recommend we table."

Chairman Kozakiewicz: "Is there a second?"

Member Sanders: "Second."

Chairman Kozakiewicz: "Moved and seconded to table."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. The resolution to table is adopted."

Resolution #5

Andrea Lohneiss: "Resolution 5 authorizes the Chairman to execute agreement with the Council for the Vail Leavitt Music Hall, Inc."

Chairman Kozakiewicz: "Similar motion on this one I believe."

Member Lull: "Yes, so moved."

Andrea Lohneiss: "Is there a motion to table?"

Member Blass: "Motion. Second."

Chairman Kozakiewicz: "Moved and seconded to table."

The Vote: "Sanders, yes; Blass, yes; Lull, yes; Kozakiewicz, yes. Resolution 5 to table is adopted."

Resolution #6

Andrea Lohneiss: "Authorize the Chairman to execute a license

agreement with Festival Holdings, LLC. for a music festival to be held in August."

Member Sanders: "So moved."

Member Lull: "Second."

Chairman Kozakiewicz: "Moved and seconded."

The Vote: "Sanders."

Chairman Kozakiewicz: "Just so the record is clear, I know that Councilman- or Member Sanders and I have had a number of conversations as has Member Blass. This agreement is not in a final form and this has been made known to the licensee or proposed licensee Festival Holdings, LLC. They understand that there's more that needs to be addressed and that if you wish to, I have no problem with you stating somewhere, maybe in the first Therefore Be It Resolved, that- authorize a license agreement in substantial form of the proposed license agreement which is here because there are some issues that need to be clarified.

I will tell you that I did speak to the proposed licensee, the dates of the event are in August as pointed out by the resolution and that was done in part so that it would not conflict with and interfere with the Blues Festival which is the third- I think it's the third full weekend in July, the 19th, 20th and 21st or dates there- close thereto.

We had made them aware of that, that that would be a conflict for us and a problem with entering any agreement with Festival Holdings, that we did not want to impair or somehow interfere with that event at all. So they moved the date back and this was something that they felt comfortable with.

As far as any other conflict, I know we've already tabled the other resolutions which was North Fork Classic and both parties have been in communication with one another to make sure that they can somehow work together on the property and they are in those discussions as we speak.

I'm not sure if that helps clarify or address the concerns."

Member Sanders: "Yes, it is. But I still remain a little reluctant to do two music festivals in the same season. I would

rather take my lumps or praise for one but not lumps for two. It addresses- there's a substantial number of people that will be coming into the community and I'm sure if the first one is successful, I would be very open to do multiple festivals next season but not this one. And it isn't anything about this particular group but I would just rather see how we fare after one large music festival before I submit and agree to a second one. So I have to vote no."

The Vote (Cont'd.): "Blass."

Member Blass: "I share those concerns and in light of the fact that we're blazing new territory here, it would be important for us not to bite off more than we could chew and it would be probably a very meaningful experience for us to go through one of these events and that may actually help us consider whether we want to allow for these kinds of uses in the future in terms of the recreational zoning use of the site. So I'm going to abstain."

The Vote (Cont'd.): "Lull."

Member Lull: "Yes, we do have or will have two such festivals planned for the Grumman property. It is a substantial income to the town and that substantial income certainly will help to offset other expenses that we have at the town."

Also, we have not heard from nor do I expect we probably will hear from the Suffolk County Fair and I have no idea what's happening as far as that's concerned. Maybe the Chairman of the CDA knows more than we do. But, have you heard?"

Chairman Kozakiewicz: "I have not heard a word."

Member Lull: "I didn't think so. So in terms of a major undertaking, a 100 or 150,000 person undertaking like the Suffolk County Fair, will not be happening and hopefully the festival will do- the music festival will do very well. I vote yes."

The Vote (Cont'd.): "Kozakiewicz."

Chairman Kozakiewicz: "I would- I likewise vote yes. My reasons for doing so are the following: One, the area that's envisioned to be part of the licensee agreement with this group was envisioned as part of the master plan or the reuse area as a theme park or a public event attraction area which this would seem to fall somewhat neatly into."

Secondly, the individual who is the event designer or coordinator is someone who did work with the town last year, is very familiar with the police department, very familiar with the local fire departments, and someone who had done a tremendous amount of homework to develop a plan to deal with the contingencies that are associated with events such as this.

In fact, the individual who does this is a contractor with the United State government. When the Armed Services moves into a location, he builds a city for them. And if he can build a city for the United States government, I have some confidence that he can plan out an event that will work. He was involved with the event that didn't come off last year because of the type of event that it was but I did have a chance to sit in on the planning meetings that took place at the police department, and an extensive binder- an extensive plan had been prepared and I, again, want to reiterate that I'm confident that the group that's been assembled here would do the right thing.

And I would be willing to take a chance on them and at least allow this first step to go forward which would be to grant them a license agreement subject to all the permits being obtained, subject to a Chapter 90 event from the town being obtained. This is not the final approval, so I would say yes."

Andrea Lohneiss: "And two yes, 1 abstention and a no is not (inaudible)."

Chairman Kozakiewicz: "It didn't make it, so- any other business?"

Andrea Lohneiss: "No."

Chairman Kozakiewicz: "Okay. Close the CDA portion, the time of 10:08 p.m."

Meeting closed: 10:08 p.m.

Barbara Lathan
Town Clerk

Adopted

February 19, 2003

TOWN OF RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

Resolution # 2

AUTHORIZES THE CHAIRMAN TO EXECUTE AN EASEMENT IN FAVOR OF THE PEOPLE OF THE STATE OF NEW YORK

COUNCILWOMAN BLASS

offered the following resolution, was seconded by

COUNCILMAN LULL :

WHEREAS, In 1998 the New York State Department of Environmental Conservation received an easement from the Department of the Navy to access a Hunters Parking Area and the Peconic River Boat Launching Site off Connecticut Avenue in Calverton; and

WHEREAS, the transfer of said easement predates the transfer of the "Grumman Property" to the Town of Riverhead CDA; and

WHEREAS, said easement was never recorded by the Department of Environmental Conservation; and

WHEREAS, the Department of Environmental Conservation operates a boat launching site and a hunters parking area in the easement area; and

WHEREAS, the granting of an easement by the Town of Riverhead CDA in favor of the People of the State of New York acting through the Department of Environmental Conservation, for the areas above described, is mutually beneficial to the Town of Riverhead and the State of New York.

NOW THEREFORE BE IT HEREBY RESOLVED, that the CDA Board of the Town of Riverhead hereby authorizes the Chairman to execute an easement in favor of the State of New York to access a Hunters Parking Area and the Peconic River Boat Launching Site off Connecticut Avenue in Calverton; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Janet Longo, New York State Department of Environmental Conservation, Real Property Bureau Building 40 SUNY, Stony Brook, New York 11790-2356, the Office of the Town Attorney, the Office of Supervisor and CDA Director Andrea Lohneiss.

THE VOTE

Sanders	Yes	No	Bliss	Yes	No
Densieski	Yes	No	Lull	Yes	No
Kozakiewicz	Yes	No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

AdoptedTOWN OF RIVERHEAD

Community Development Agency

Resolution # 3

AUTHORIZES CHAIRMAN TO TAKE NECESSARY ACTIONS
IN CONNECTION WITH
ISLAND WATER PARK CORP. CLOSING

Councilman Lull offered the following resolution, which was seconded by Councilwoman Blass.

WHEREAS, on April 10, 2000, the Town of Riverhead Community Development Agency (the "Agency") entered into an Agreement of Sale (the "Agreement") with Island Water Park Corp. (the "Buyer") for the sale of approximately 40 acres of property located at the former Naval Weapons Industrial Reserve Plant, now know as Calverton Enterprise Park (the "Property"), and

WHEREAS, the Agency and the Buyer have reached an accord on all issues that have arisen during the pendency of the sale and now desire to complete the closing, and

NOW, THEREFORE, BE IT

RESOLVED, that the Board of the Town of Riverhead Community Development Agency hereby authorizes the Chairman to take all necessary actions (including, without limitation, the execution of all closing documents contemplated in the Agreement) in order to complete the closing pursuant to the Agreement, and be it further,

RESOLVED, that the Town Clerk is hereby directed to forward a copy of this resolution to Robert F. Kozakiewicz, Chairman, Town of Riverhead Community Development Agency, Town of Riverhead Community Development Agency, Andrea Lohneiss, Director, Town of Riverhead Community Development Agency, Town Attorney, Willkie, Farr & Gallagher, Charles R. Cuddy, Esq., and Island Water Park Corp.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☒ WAS NOT ☐

THEREUPON DULY ADOPTED

2/19/03
2/4/03

Tabled

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY

Resolution #4

**AUTHORIZES THE SUPERVISOR TO EXECUTE AN AGREEMENT BETWEEN THE
RIVERHEAD COMMUNITY DEVELOPMENT AGENCY AND ROBERT GINSBERG
D/B/A ROSEWOOD MANAGEMENT INC. IN CONNECTION WITH THE
NORTH FORK CLASSIC HORSE SHOW**

COUNCILMAN LULL offered the following resolution, was seconded by
COUNCILWOMAN SANDERS : TO BE TABLED

WHEREAS, Rosewood Management Inc. (RMI) desires to stage and promote an outdoor horse show event commonly known as "The North Fork Classic " to be held at the Calverton Enterprise Park property on August 7, 2003 through August 25, 2003; and

WHEREAS, RMI and the Riverhead Community Development Agency have agreed to terms under which RMI will be granted the use of certain land, buildings facilities and/or equipment at the EPCAL property.

NOW THEREFORE BE IT HEREBY RESOLVED, that the Supervisor is hereby authorized to execute an agreement between Rosewood Management, Inc. (RMI) and the Riverhead Community Development Agency, which agreement provides for terms under which RMI will be granted the use of certain land, buildings facilities and/or equipment at the EPCAL property; and be it further

RESOLVED, that the Town Clerk is hereby directed to forward a certified copy of this resolution to Rosewood Management Inc., , New York, 11779; the Supervisor's Office; Andrea Lohneiss, Director, CDA; the Office of Accounting and the Office of the Town Attorney.

THE VOTE
Sanders ☒ Yes ☐ No Blass ☒ Yes ☐ No
Densieski ☒ Yes ☐ No Lull ☒ Yes ☐ No
Kozakiewicz ☒ Yes ☐ No
THE RESOLUTION WAS ☐ WAS NOT ☒
THEREUPON DULY ADOPTED

Tabled

2/19/03

Tabled

Town of Riverhead

Resolution # 5

RIVERHEAD COMMUNITY DEVELOPMENT AGENCY

Authorizes Chairman to Execute Agreement with the Council for the Vail Leavitt Music Hall, Inc.

COUNCILWOMAN BLASS

offered the following resolution,

COUNCILWOMAN SANDERS

which was seconded by _____

WHEREAS, the Town of Riverhead has supported the Council for the Vail Leavitt Music Hall for 20 years, including the procurement of numerous grants to provide for the acquisition and restoration of the National Historic Landmark.

WHEREAS, the Council for the Vail Leavitt Music Hall Inc. requires further exterior and/or interior capital improvements, furnishings and equipment for refurbishment of the Vail Leavitt Music Hall; and

WHEREAS, the Town of Riverhead in recognition of the importance of completing the restoration of the Vail Leavitt Music Hall as a tourist attraction in downtown Riverhead, and consistent with the goals and objectives of the East Main Street Urban Renewal Plan, desires to encourage those projects that generate visitors to the downtown business district; and

THEREFORE BE IT RESOLVED, that the CDA Chairman is hereby authorized to execute an agreement with the Council for the Vail Leavitt Music Hall, Inc. to provide for a grant of \$50,000 to the Council.

THEREFORE, BE IT FURTHER RESOLVED, that the Town Clerk shall provide a certified copy of this resolution to Community Development Agency Director Andrea Lohneiss and the Council for the Vail Leavitt Music (PO Box 147, Riverhead, NY 11901).

COUNCILWOMAN SANDERS OFFERED THE RESOLUTION
TO BE TABLED WHICH WAS SECONDED BY
COUNCILWOMAN BLASS.

THE VOTE

Sanders	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Blass	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Densieski	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Lull	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Kozakiewicz	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No			

THE RESOLUTION WAS ☐ WAS NOT ☒
THEREUPON DULY ADOPTED

Tabled

AGREEMENT

Between the Town of Riverhead Community Development Agency, a public benefit corporation, located at 200 Howell Avenue, Riverhead, NY, hereinafter referred to as the "**CDA**" and the **Council for the Vail Leavitt Music Hall**, a not-for-profit corporation, located at 18 Peconic Avenue, Riverhead, NY 11901, hereinafter referred to as the "**Council.**"

WITNESSETH

WHEREAS, the CDA in recognition of the importance of completing the restoration of the Vail Leavitt Music Hall as a tourist attraction in downtown Riverhead, and consistent with the goals and objectives of the East Main Street Urban Renewal Plan, desires to encourage those projects that generate visitors to the downtown business district; and

WHEREAS, significant progress has been made by the Council to complete improvement necessary to accommodate the public for cultural venues; and

WHEREAS, the Council requires exterior and/or interior capital improvements, furnishings and equipment for refurbishment of the Vail Leavitt Music Hall.

THEREFORE IT IS HEREBY AGREED, by the CDA and the Council as follows:

1. The Council shall utilize funding provided by the CDA for capital improvements, furnishings and equipment, and shall provide documentation of all expenditures made with said grant funds within 60 days from receipt of funds from the CDA.
2. In recognition of the above, the CDA shall provide the Council the sum of \$50,000.

DATED: Riverhead, New York

Town of Riverhead CDA

By: _____
Chairman

Grantee

By: _____
President-Trustee

Not Adopted

02/19/03

TOWN OF RIVERHEAD
COMMUNITY DEVELOPMENT AGENCY

Resolution # 6

**AUTHORIZES THE CHAIRMAN TO EXECUTE A LICENSE AGREEMENT
WITH FESTIVAL HOLDINGS, LLC**

Councilwoman Sanders _____ offered the following resolution, was seconded
by _____

Councilman Lull _____:

WHEREAS, Festival Holdings, LLC has submitted an application for the purpose of conducting the Music Festival to be held on the Calverton Enterprise Park picnic grounds at Rte. 25, Calverton, New York, in August 2003; and

WHEREAS, the land upon which the Festival is to be held is owned by the Town of Riverhead Community Development Agency; and

WHEREAS, Festival Holdings, LLC, requires the additional approval of the Town Board for a Special Event pursuant to Chapter 90 of the Town Code of the Town; and

WHEREAS, Festival Holdings, LLC, requires a license from the CDA to utilize the aforementioned land.

NOW THEREFORE BE IT RESOLVED, that the CDA authorizes the Chairman to execute a license agreement with Festival Holdings, LLC; and be it further

RESOLVED, that this approval is subject to the applicant obtaining approval pursuant to Chapter 90 of the Riverhead Town Code; and be it further

RESOLVED, that a fire safety inspection by the Town Fire Marshal is required prior to the opening of this event to the public; be it further

RESOLVED, that the Town Clerk is hereby authorized to forward a certified copy of this resolution to Festival Holdings, LLC; 1128 Dublin Street, Suite 200, New Orleans, Louisiana, 70118 ; Ken Testa, P.E. and Chief David Hegermiller, Riverhead Police Department; Office of the Town Attorney and Office of Accounting.

THE VOTE
Sanders Yes ☒ No ☒ Blass Yes ☒ No ☒
Densieski Yes ☒ No ☒ Lull Yes ☒ No ☒
Kozakiewicz Yes ☒ No ☒
THE RESOLUTION WAS ☒ WAS NOT ☒
THEREUPON DULY ADOPTED